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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,197	10/02/2000	Mehran Mehregany	47799.00003	7092

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Squire, Sanders & Dempsey L.L.P.
Two Renaissance Square
Suite 2700
40 North Central Avenue
Phoenix, AZ 85004-4498

EXAMINER

ABDI, KAMBIZ

ART UNIT PAPER NUMBER

3621

DATE MAILED: 04/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,197

Applicant(s)

MEHREGANY ET AL.

Examiner

Kambiz Abdi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3 and 5</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
 - Claims 1-25 are canceled.
 - Claims 26-7 are added.
 - Claims 26-37 have been considered.
3. Examiner withdraws rejection of claims 1-25 under 35 U.S.C. 112-second paragraphs and 101 rejections due to cancellation by the applicant.

Response to Amendment

4. Applicant's arguments filed on 11 February 2004, with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

1. Claims 26 is objected to because of the following informalities: Examiner would like to point out that the claims as they have been put forward are vague and hard to understand and would like to propose the following changes in order to make them clearer to the reader.
2. Claim 26 "accessing aggregated first data describing a set of suppliers and a aggregated second data describing the project to identify a first subset of the set of suppliers [of the plurality], each supplier of the first subset having a quantitative extent of correspondence between the respective first aggregated data and the second aggregated data,
3. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 26-37 are rejected under 35 U.S.C. 102 (e) being anticipated by U.S. Patent No. 5,592,375 to Bardwell C. Salmon et al.

5. As per claims 26 and 32, Salmon discloses a method for limiting disclosure of a first description of a project for at least one of research and development, the method comprising:

accessing aggregated first data describing a set of suppliers and a aggregated second data describing the project to identify a first subset of suppliers of the plurality, each supplier of the first subset having a quantitative extent of correspondence between the respective first data and the second data, wherein (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21):

(1) determining the respective quantitative extent of correspondence and identifying the respective supplier to the first subset are performed by a stored program computer (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21);

(2) aggregated first data describing the plurality of suppliers comprises for each supplier:

(a) indicators of subject matter (Area of Expertise), wherein the subject matter is known to the supplier (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24,

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column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21); and

(b) quantitative indicators of supplier qualities including at least one of years of practice (Years Experience), quantity of academic accomplishments (Years of Education or Degrees Obtained) , quantity of patents held; magnitude or quantity of grants received, and magnitude or quantity of contracts awarded (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21);

(3) aggregated second data describing the project comprises:

(a) indicators of particular subject matter including at least one of particular subject matter to be invented, particular subject matter to be reduced to practice, and particular subject matter for a commercial product (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21); and

(b) quantitative indicators of particular supplier qualities including at least one of particular minimum years of practice (Years Experience), particular minimum quantity of academic accomplishments (Years of Education or Degrees Obtained), desire minimum quantity of patents held, particular minimum magnitude or quantity of grants received, and particular minimum magnitude or quantity of contracts awarded (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21); and

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reporting the first subset of suppliers for a first restricted distribution of the first description of the project for a buyer seeking a supplier having a desired capacity for at least one comprising the indicators of particular subject matter (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21).

6. As per claims 27 and 33, Salmon discloses all the limitations of claims 26 and 32; further, Salmon discloses,

receiving plurality of proposal, each respective proposal from a member of the first subset:

accessing the aggregated first data to identify a second subset of-suppliers, each member of the second subset having indicators of particular subject matter known to the member corresponding to the indicators of particular subject matter (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21); and

providing a multiplicity of the plurality of proposals to a member of the second subset for identifying a supplier of the first subset to be eliminated from a second restricted distribution of a second description of the project (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21).

7. As per claims 28 and 34, Salmon discloses all the limitations of claims 26 and 32; further, Salmon discloses,

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searching an information network to identify search results; and indexing the identified search results to provide keyword access (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21).

8. As per claims 29 and 35, Salmon discloses all the limitations of claims 28 and 34; further, Salmon discloses,

aggregating further comprises storing a record according to at least a portion of a message received from the information network; and indexing comprises analyzing the record (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21).

9. As per claims 30 and 36, Salmon discloses all the limitations of claims 26 and 32; further, Salmon discloses,

conducting the first restricted distribution in accordance with the report (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68, column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21).

10. As per claims 31 and 37, Salmon discloses all the limitations of claims 26 and 32; further, Salmon discloses,

wherein the report is ordered in accordance with the quantitative extent of correspondence (See Salmon figures 3b, 4a-4q, 5, 6a-6e, and 7a-7n along with associated text, column 1, lines 18-68,

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column 2, lines 1-55, column 3, lines 14-48, column 4, lines 38-64, column 5, lines 5-24, column 7, lines 40-58, column 8, lines 4-61, column 10, lines 10-56, column 14, lines 35-68, and column 15, lines 1-21).

11. Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Abdi whose telephone number is (703) 305-3364. The examiner can normally be reached on 9:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768. Any inquiry of a general

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nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to:

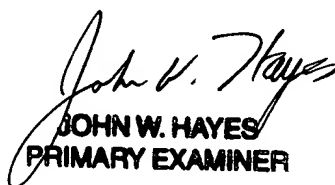
(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

(703) 746-7749 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to:

**Crystal Park 5, 2451 Crystal Drive
7th floor receptionist, Arlington, VA, 22202**

**Abdi/K
April 19, 2004**


**JOHN W. HAYES
PRIMARY EXAMINER**